

Remarks

Claims 26-37 are pending in this application. No new matter has been added. Applicants respectfully submit that the rejection of pending claims should be withdrawn for at least the following reasons.

The Rejection Under 35 U.S.C. § 112, ¶ 2, Should Be Withdrawn

On pages 2 of the Office Action, claims 26-37 are rejected as allegedly indefinite. In particular, claim 26 is rejected because Formula 2 is undefined, and claims 27-37 are rejected because they incorrectly recite the claim from which they depend. In view of the amendments made to the pending claims, Applicants respectfully request that the rejection under 35 U.S.C. § 112, ¶ 2 be withdrawn.

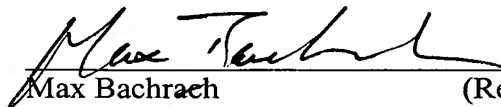
The Rejection Under Judicially Created Obviousness-Type Double Patenting Should Be Withdrawn

On pages 2-3 of the Office Action, claims 26-37 are rejected under judicially created obviousness-type double patenting over claims 1-11 of U.S. Patent No. 6,610,887. Without addressing the substance of the rejection, Applicants submit herewith a terminal disclaimer. In view of this terminal disclaimer, Applicants respectfully request that the rejection of the pending claims be withdrawn.

No fee is believed due for this submission. However, if any fees are required for the entry of this paper or to avoid abandonment of this application, please charge the required fees to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date: November 23, 2004


Max Bachrach 45,479
(Reg. No.)
Jones Day
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 879-3939

For: Anthony M. Insogna (Reg. No. 35,203)
Jones Day
12750 High Bluff Drive, Suite 300
San Diego, California 92130
(858) 314-1200